

Commissioners Meeting
July 2, 2013

Present: David Gogel, Mickey Toler, Al Logsdon, Chuck Painter, Tara Lloyd, Attorney Jeff Lindsey, Auditor Jane Lynam

Meeting was called to order by President David Gogel at 8:15 A.M.

Claims

Logsdon made a motion to approve Batch #2824 in the amount of \$317,938.17. Toler seconded the motion, motion approved.

Toler made a motion to approve Batch #2822 in the amount of \$67,409.39. Logsdon seconded the motion, motion approved.

Highway Report

Painter said we had been given notice on 5-30-13 that the old 231 has been turned over to the county. Lloyd said she and Painter had sent a list of drainage concerns to the State years ago per the agreement. The drainage concerns have not been addressed, so what do we do? Painter said that two double 10 foot pipes North of Chrisney are plugged with sediment which causes water over the road when we have a hard rain like we did last night. Logsdon said send an official letter to Randy Carie and a copy to Rusty Fowler to let them know they did not meet their obligations. Lloyd and Lindsey will get a letter to them as soon as possible to let them know we will accept the road subject to them addressing the drainage concerns.

Painter said he found a roller in Arkansas and it has 660 hours on it. They will lease it to us for three months, in those three months we should know if there are any problems with it. The money that is spent on the lease will be given as a credit toward the purchase price. It is a 2004 and they are asking \$79,500; a new one would cost \$143,000. Lindsey said go ahead and get a 3 month rental agreement and then get 3 sealed quotes.

Painter then said that once we take over old 231, Cum Bridge will need a bigger budget because the bridges added to our inventory will eat up our budget. Do we want to keep the caution light and the light at the railroad, that's something we need to think about, because if we do there will be an electricity bill there.

Engineer Report

Lloyd explained that where a bill board was placed earlier, they now want electricity for that sign. Where they will have to run the line, on mapping, shows that the State of Indiana owns the right-of-way. The State denied the permit saying the County owns the right-of-way. Who needs to issue the permit, do I legally have the right to issue the permit? Lindsey said if it belongs to the county the State needs to let us know the boundaries; we can encompass this with the letter concerning the 231 drainage problems. We need a recordable instrument so we can have something to go to, we need to know boundaries.

Legal Report

Lindsey passed out a Summary of Services rendered for June 2013. Lindsey explained that the access for the property the county owns near the river is actually now in the river, so the only access is from the river. The access that is currently being used goes across land owned by Graper Trust.

Mr. Graper explained that the river had washed away the original access road. Graper's concern is that the access road people are now using is actually his and if somebody gets hurt he would be responsible. Logsdon asked if there was a walking path where someone could gain access if they wanted to go down there to fish. Graper said no, there is no access except across him and he has no plans to grant anyone access. Graper then asked if he could legally gate that road to keep the people out of there. Lindsey said he could legally put up a gate if that's what he wanted to do, the property is his. Logsdon asked Lindsey to work with the county papers to make sure that the public is informed that there is no longer public access at this site.

Farbest Foods

Jay Houchin representative of Farbest Farms Inc presented a list of what they were proposing and spoke about the proposal. They are proposing to build a company owned and operated brooding farm located north of CR 1200 on CR 650 on 40 acres of property currently owned by Mark Reisz. They will have baby turkeys from 1 day old to 38 days old; they will then be moved to other farms, so every 8 weeks they would start the cycle over. The proposal calls for 4 brooding barns 60' X 500" with a possibility of two additional barns in the future. Houchin said they just wanted to make the county aware of what they were proposing, they weren't asking for anything.

Logsdon said this is in my district, if it is approved and becomes a reality; there is no way we have the money to improve or upgrade County Road 650 to handle the traffic you are proposing. Something would have to be worked out for road maintenance and improvements because if they would happen to get off on a chip and seal road it would fall through. Painter asked how they were going to get trucks to the location. Houchin responded that they would come from New 231 heading east to CR 1200 and then north on 650 to the site. Logsdon asked where other brooding farms were located because people

will probably want to check them out. Houchin replied there are ones located in Dubois County on Highway 56 in between Dubois and Haysville, 231 North of Haysville in Martin County, outside of Gleason in Pike County off of Hwy 57, Washington County near Salem; they will be glad to show them to anyone who would like to see them.

After much discussion Logsdon asked if it is was the counties responsibility or obligation to upgrade CR 650 to an industrial road. Lindsey said the county isn't obligated to upgrade the road; they take it as they find it. Lloyd explained that we can make them bond it during construction.

Old Business

Reverend McDonald with First Philadelphia Ministries and Attorney Tom Pulley were present. McDonald reported that they have covered up the sign and are in the process of boarding up all the buildings at that location. McDonald explained that their intent when they first got the property was to turn it into a rescue area for women. That has all changed due to the declining economy; funding has dried up. We are now waiting for official notification from EPA so we can hopefully sell the property. McDonald asked for additional time to address the problems on the property, and to receive the official papers from EPA. Logsdon asked how much extra time they were requesting the Commissioners delay enforcing the Unsafe Building Ordinance. McDonald said if they could have 60 days that would be great. Logsdon said he would be glad to vote to give him the extra 60 days if McDonald would contact someone who thinks they have a client interested in buying your business. McDonald said he would be glad to talk to anyone interested in the location.

Lindsey asked Building Inspector Phil Brown what additional steps, in the short term, do you feel need to be done to make this property safe for people who are there improperly. Brown then asked McDonald what they were planning to do about the hanging concrete. McDonald answered that they were having it checked out now and will develop a plan to get the safety standards up where they should be.

Lindsey said the letter we sent gave you 90 days, and that will expire July 20th, if the Board is inclined to give you additional time, I would think we would want some interim reports on what your progress is. For instance, at the first August meeting to see where you are, if you weren't doing anything we would have to ask the Council for money to start the process of having the buildings removed.

Toler made a motion to give a sixty day extension, contingent on Mr. Browns' request that the hanging concrete is taken care of, and the Commissioners be given monthly reports on the progress.

Logsdon seconded the motion, motion was approved.

Old Business

Lindsey explained that we had determined that the Cum Bridge levy was lowered, not the rate. The Cum Bridge rate is set by the Commissioners, it has been steady; last year there was an amount taken out of the levy, but the rate wasn't changed so no action is required at this time.

New Business

Phil Brown presented a letter regarding Building Code Effectiveness Grading Schedule for the Commissioners to look over. Brown asked if we had ever set up a fee for unsafe building inspections. Logsdon said we had never made a decision on the fee yet, so we will continue with the \$25.00 for now. Logsdon made a motion to adjourn. Toler seconded the motion, motion was approved. Meeting was adjourned at 10:55 A.M.

President

Attest:
